

STATUTORY INSTRUMENTS

1965 No. 1824

ATOMIC ENERGY AND RADIOACTIVE SUBSTANCES

LICENSING AND REGULATION OF SITES

The Nuclear Installations (Dangerous Occurrences) Regulations 1965

<i>Made -</i>	20th October 1965
<i>Laid before Parliament</i>	29th October 1965
<i>Coming into Operation</i>	1st December 1965

The Minister of Power and the Secretary of State in exercise of the powers conferred upon them by sections 22(1), (2) and 26(1) of the Nuclear Installations Act 1965(a) (hereinafter referred to as "the Act") and of all other powers them enabling hereby jointly make the following Regulations:—

Commencement and citation

1. These Regulations shall come into operation on 1st December 1965 and may be cited as the Nuclear Installations (Dangerous Occurrences) Regulations 1965.

Interpretation

2.—(1) The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(2) Unless the context otherwise requires, expressions used in these Regulations shall have the same meanings as in the Act.

(3) In these Regulations the following expression has the meaning hereby assigned to it, that is to say—

"local authority" means—

(a) as respects England and Wales, the council of a county borough, borough or urban or rural district, or the Common Council of the City of London;

(b) as respects Scotland, a town or county council.

Dangerous occurrences

3.—(1) The Minister of Power and the Secretary of State hereby prescribe for the purposes of section 22(1) of the Act occurrences of each of the following classes or descriptions, that is to say—

(a) any occurrence on a licensed site involving the emission of ionising

(a) 1965 c. 57.

(b) 52 & 53 Vict. c. 63.

radiations or the release of radioactive or toxic substances in such circumstances as to cause or be likely to cause—

- (i) the death of, or serious injury to the health of, persons outside the site at the time of the occurrence, whether or not persons on the site are also affected thereby; or
 - (ii) the death of, or serious injury to the health of, persons on the site at the time of the occurrence;
- (b) any occurrence in the course of carriage of nuclear matter (not being excepted matter) on behalf of any person other than the Authority or a government department, being—
- (i) an occurrence which that person has reason to believe has caused or may be likely to cause the death of, or serious injury to the health of, any person by reason of the radioactive properties of such nuclear matter; or
 - (ii) an occurrence involving the breaking open of any outside container in which such nuclear matter is being carried;
- (c) any explosion or outbreak of fire on a licensed site, being an explosion or outbreak affecting or likely to affect the safe working or safe condition of the nuclear installation;
- (d) any uncontrolled criticality excursion.

(2) The requirements of sub-paragraphs (b), (c) and (d) of the last preceding paragraph shall be without prejudice to the generality of the requirements of sub-paragraph (a) thereof.

Manner in which and persons to whom occurrences are to be reported

4.—(1) Reports of occurrences required to be made under section 22(2) of the Act shall be made—

- (a) in the case of occurrences of a class or description specified in sub-paragraph (a)(i) or (b) of paragraph (1) of the last preceding Regulation, by the quickest means available—
 - (i) to the Minister;
 - (ii) to the local authority in whose area the occurrence happened; and
 - (iii) to the chief officer of police for the police area in which the occurrence happened,and confirmed thereafter in writing to the Minister;
- (b) in the case of occurrences of any other class or description specified in the said paragraph (1), to the Minister by the quickest means available, and confirmed to him in writing thereafter.

(2) In the application of the last preceding paragraph to Scotland the reference to the local authority in whose area the occurrence happened shall be construed as a reference to every local authority in whose area the occurrence happened.

(3) Any report required by paragraph (1) of this Regulation to be confirmed in writing shall contain the information (or such part thereof as may be applicable to the occurrence concerned) specified in the Schedule hereto.

Revocations

5. The Nuclear Installations (Dangerous Occurrences) Regulations 1960(a) and the Nuclear Installations (Dangerous Occurrences) (Amendment) Regulations 1963(b) are hereby revoked.

Fred Lee,
Minister of Power.

18th October 1965.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

20th October 1965.

SCHEDULE

Regulation 4

1. State, in the case of a licensee, the licensee's full name and the site licence number, or, in the case of any other person on whose behalf the nuclear matter is being carried, the full name and address of that person.

2. State the date, time and exact location of the occurrence.

3. Give a brief description of the occurrence together with, as the case may be, the state of the nuclear installation (e.g. normal operation, under maintenance) or the state of the nuclear matter in the case of an occurrence elsewhere than on a licensed site (e.g. on the means of transport, in transit storage) and any other relevant matters at the time of the occurrence.

4. State, so far as is known, whether any injury has been caused to persons or any damage to property or both, and, if so, whether such injury or damage has been caused on or off the licensed site or both.

5. Where an occurrence has resulted in contamination give particulars of—

(a) the nature of the contaminant;

(b) the area affected thereby;

(c) the weather conditions and wind direction at the time of the occurrence;

(d) persons contaminated and the extent of such contamination;

(e) any area on the licensed site which was evacuated or to which access was restricted.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, made by the Minister of Power and the Secretary of State for Scotland acting jointly, revoke and re-enact with modifications the Nuclear Installations (Dangerous Occurrences) Regulations 1960, as amended by the Nuclear Installations (Dangerous Occurrences) (Amendment) Regula-

(a) S.I. 1960/514 (1960 I. p. 320).

(b) S.I. 1963/1358 (1963 II, p. 2357).

tions 1963. The revoked Regulations prescribed certain classes and descriptions of occurrences happening on or in connection with the use of a licensed site, which had to be reported forthwith to the Minister, and the manner in which such occurrences had to be reported. They also provided that certain classes of occurrences had to be reported to the chief officer of police and the local authority concerned as well as to the Minister.

The present Regulations, made under section 22(1) and (2) of the Nuclear Installations Act 1965, extend the classes of reportable occurrences happening during carriage, which under the revoked Regulations only covered the carriage of irradiated nuclear fuel, to include the carriage of any nuclear matter which is not excepted matter. In addition to licensees the Regulations apply to foreign operators upon whom a duty is imposed by virtue of sections 10 or 11 of the Act.

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